

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DEWANE KENT DURR,

Petitioner,

No. C 08-0628 WHA (PR)

vs.

ORDER OF TRANSFER

KEN CLERK, Warden, and
EDMUND G. BROWN, Attorney
General,


Respondents.

In this habeas case petitioner seeks to challenge a conviction and sentence incurred in the Superior Court of Los Angeles County. Los Angeles County is in the venue of the United States District Court for the Central District of California. Petitioner is incarcerated at Corcoran State Prison, which is in the Eastern District.

Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, petitions challenging a conviction are preferably heard in the district of conviction. Habeas L.R. 2254-3(a); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968). Because petitioner was convicted in Los Angeles County, this case is **TRANSFERRED** to the United States District Court for the Central District of California. See 28 U.S.C. § 1406(a); Habeas L.R. 2254-3(b).

IT IS SO ORDERED.

Dated: February 5, 2008.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

DEWANE K.DURR,

Plaintiff,

v.

KEN CLERK et al,

Defendant.

Case Number: CV08-00628 WHA

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on February 6, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Dewane K. Durr
#P-12787/ F-2-B-136 up
PO Box 5244
Corcoran, CA 93212

Dated: February 6, 2008

Richard W. Wieking, Clerk
By: D. Toland, Deputy Clerk